

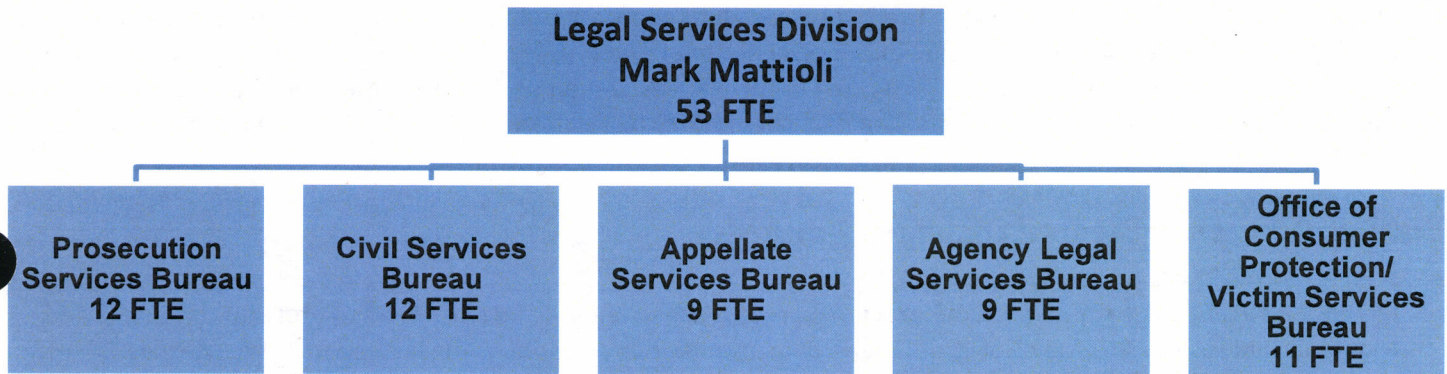
DEPARTMENT OF JUSTICE

Legal Services Division

Division Contacts

Deputy Director	Scott Darkenwald	444-3652	SDarkenwald@mt.gov
Administrator	Mark Mattioli	444-5880	mmattioli@mt.gov
Prosecution Services Bureau Chief	Brandt Light	444-5791	blight@mt.gov
Civil Services Bureau Chief	Mark Mattioli	444-5880	mmattioli@mt.gov
Appellate Services Bureau Chief	Mark Mattioli	444-5880	mmattioli@mt.gov
Agency Legal Services Bureau Chief	Jim Scheier	444-5896	jscheier@mt.gov
Office of Consumer Protection & Victim Services Bureau	Matt Dale	444-1907	madale@mt.gov

Organizational Chart



What the Division Does

The Department's Legal Services Division provides a wide array of legal services for the State of Montana. Staff attorneys represent the State in appeals of criminal cases, provide legal opinions, represent state agencies in legal matters, and defend the constitutionality of state laws.

The Legal Services Division is organized into five bureaus with the following functions:

- **The Agency Legal Services Bureau** provides legal counsel to state government officials and state agencies. Attorneys in the bureau represent other state agencies in civil actions ranging from liability lawsuits to personnel issues.
- **The Appellate Services Bureau** handles all appeals from criminal convictions, appeals involving child abuse and neglect and involuntary commitments, and death penalty litigation and appeals in the state and federal courts. The bureau is often required to defend constitutional challenges to statutes.
- **The Civil Bureau** represents Montana's interests in complex civil litigation cases, handles constitutional challenges to state laws, researches and analyzes requests for attorney general's opinions, provides legal assistance to state agencies and local governments, handles matters involving Indian jurisdiction and federal reserved water rights, and provides legal services for the eight other divisions of the Department of Justice.
- **The Prosecution Services Bureau** assists local county attorneys by providing training at semi-annual meetings and by assisting in the prosecution of complex criminal cases, particularly homicide and sex offense cases. It prosecutes drug trafficking, workers' compensation and Medicaid fraud, and also has a child protection unit. The bureau investigates complaints against county attorneys and prosecutes cases where the county attorney has a conflict of interest.

- **The Office of Consumer Protection** protects Montana consumers from fraud, unfair or deceptive business practices and scams, price fixing and anticompetitive practices--primarily involving out-of-state businesses or corporations. The Office administers the Telephone Solicitation Do Not Call List and the Security Freeze Program in cases of identity theft.

The Victims Services Bureau seeks to elevate the status of victims and their rights by serving as a central reference point for victims of crime and the needs of crime victims, including crime victim compensation. The office provides training and information for those who work with victims, including law enforcement, victim advocates, probation and parole workers and local community organizations.

Highlights

- Drug Diversion Program: *State v. Warila* (theft of Fentanyl patches from Alzheimer's patients); *State v. Fitzpatrick's* (undercover DCI investigation and resulting prosecution of operators of a medical marijuana business in Havre)
- Child Sexual Predator Enforcement Program: *State v. Pulst* (incest of nieces, other relatives, and family friends)

Budget Request – New Proposal

1. **DP 101 LSD Child Sexual Predator and Drug Diversion Programs** - See p. D-39 of LFD analysis
A new proposal to fund 2.00 FTE attorneys and associated operating costs to work exclusively with the Child Sexual Predator and Drug Diversion Program. The 2011 Legislature appropriated \$100,000 in FY 2013 that was restricted to funding contracted legal services for the Child Sexual Predator and Prescription Drug Diversion Program. The FY 2013 funding was appropriated to the Division of Criminal Investigation to contract for legal services. Because the funding began in FY 2013, no base exists. The equivalent hourly cost for these FTE is \$49.05 for personal services and operating costs.

Budget Request – Elected Official's Request

1. **Stand Up for Montana** - See appendix p. 27
Increase legal presence throughout the executive process at the federal and state level to protect Montanans and Montana values. The Attorney General's goal is to guarantee that litigation is the last resort. The Attorney General is requesting 2.00 FTE. (1.0 Lawyer and 1.0 Paralegal) General fund \$500,000 request for 2015 biennium.
2. **Technology Upgrades Transparency** - See appendix p. 27
Statutory obligation to provide case information on website and facilitate movement of legal documents to E-discovery and E-filings to provide greater efficiency and transparency, 2.0 FTE. (1.0 paralegal, 1.0 web developer) General fund \$300,000 request for 2015 biennium.

Response to Legislative Fiscal Division Issues

The LFD has inquired whether funds in the consumer protection special revenue account (02140) are available for transfer to the general fund. This special revenue account is restricted for the operations and work of the Office of Consumer Protection and according to the terms of settlement agreements and court-ordered judgments.

The LFD has also inquired regarding the fees charged by Agency Legal Services. The fund balance for the agency legal services fund (fund 06500) has been declining since 2009 due to expenses that have exceeded revenues. During this period, the rates have remained the same. The operating losses of the program have been financed by cash reserves that have declined from \$189,000 in FY 2009 to \$108,000 in FY 2012. For the 2015 biennium, the executive proposes to increase the hourly rate for both attorneys and investigators. The 2015 Biennium Report on Internal Service and Enterprise Funds shows that, if approved, the rate increases proposed would result in a turnaround where revenues would exceed expenses for the 2015 biennium. The executive determined that the higher rates would not impact demand for the services. FY 2012 Agency Legal Services billed 13,495 hours. Projected utilization for the FY 2015 biennium is 13,649 hours each year.

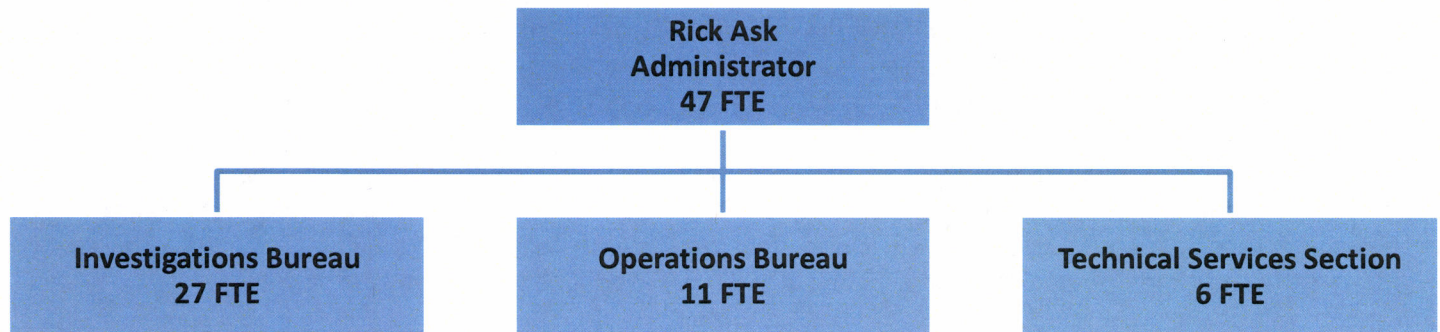
DEPARTMENT OF JUSTICE

Gambling Control Division

Division Contacts

Administrator	Rick Ask	444-9132	rask@mt.gov
Investigations Bureau Chief	Dave Jeseritz	444-9130	djeseritz@mt.gov
Operations Bureau Chief	Angela Nunn	444-5693	anunn@mt.gov

Organizational Chart



What the Division Does

The Gambling Control Division licenses and regulates all forms of gambling in Montana, except for horse racing and the Montana Lottery. The division is responsible for collecting gambling revenue for state and local governments and has primary responsibility for enforcing gambling statutes. In its regulatory role:

- it conducts licensing investigations;
- it collects and distributes gambling taxes and permit fees;
- it conducts financial audits of gambling operations; and
- it tests and approves video gambling machines and systems.

The Gambling Control Division is organized into bureaus and sections with the following functions:

- **The Operations Bureau** is responsible for the division's license, tax and administrative functions.
 - Audit Section
 - Assists in licensing applicants by conducting financial background reviews
 - Assists the Investigations Bureau in interpreting and analyzing documents of suspected illegal gambling activities
 - Conducts gambling tax field audits of licensed locations.
 - License and Tax Section of the Operations Bureau processes and issues gambling licenses and permits, including video gambling machine permits. The License and Tax Sections also:
 - Processes the combined liquor and gambling license applications;
 - Collects gambling taxes and license and permit fees;
 - Distributes the license and permit fees to local governments and
 - Conducts gambling tax audits – office or compliance reviews.
- **The Investigations Bureau** has regional offices across the state (Billings, Bozeman, Butte, Glasgow, Glendive, Great Falls, Kalispell, and Missoula) that perform all criminal background checks on license applicants and conduct investigations to ascertain liquor and gambling applicants' suitability under state statutes. The bureau also:
 - Conducts criminal investigations of alleged violations of state gambling statutes and administrative rules;
 - Inspects the premises of licensed liquor and gambling establishments;

- Enforces tobacco laws and taxes; and
- Reviews proposed legal gambling activities.
- **The Technical Services Section** tests all video gambling machine prototypes and other gambling devices submitted by licensed video gambling machine manufacturers for approval. The section also does:
 - Field inspection of video gambling machines in play to make certain they are the approved machine models and programs - randomly test all video gambling machines

Highlights

- One of the major accomplishments of the last Biennium has been the implementation of line games, a new video gambling game authorized by the 2011 Montana Legislature. The bill authorizing video line games gave the Gambling Control Division from the end of the 2011 session until January 1, 2012, to establish specifications for the machines, draft rules to provide for the implementation of the game, receive game prototype submissions from licensed manufacturers, and test and approve the games. The Division accomplished its mission and by January 1, 2012, every line game submitted by licensed manufacturers was tested, approved and in the market. Due to the legislative foresight in passing SB361, from the 2011 Legislature, by most accounts, the introduction of line games resulted in assisting main street businesses to weather the economic storm.
- After full implementation of an Automated Accounting and Reporting System and in light of known fund balance issues, the division made significant efforts to capitalize on efficiencies and reduce expenditures over the last biennium including reducing staffing levels. Our budget request for fiscal year 2014 and fiscal year 2015 contains 3.5 FTE less than was appropriated last biennium and includes a 4% reduction in operating expenses.

Budget Request – Present Law Adjustments

1. DP701 GCD Base Adjustments - See LFD Analysis p. D-47

The Gambling Control Division (GCD) requests \$49,786 for the 2015 biennium for increased office rent, in locations across the state, and restoring zero-based overtime. Funding for the request is \$34,850 in state special revenue and \$14,936 in liquor proprietary funding.

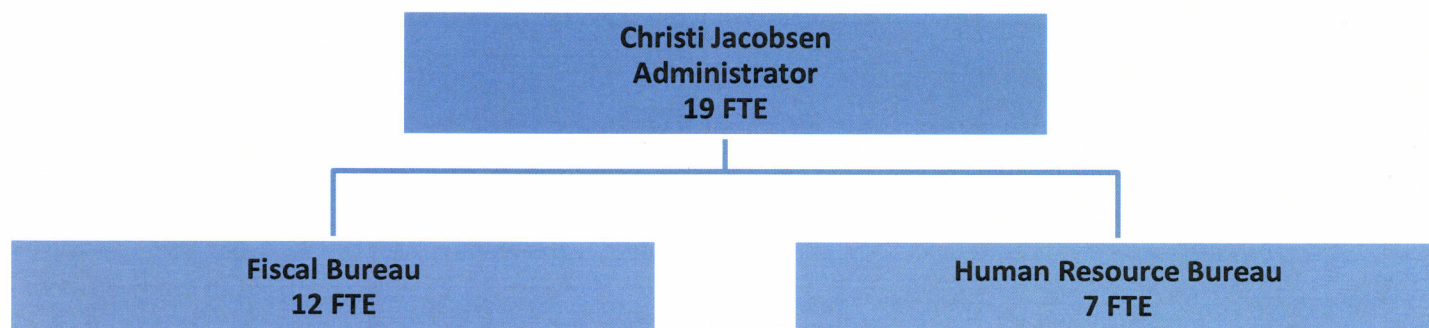
DEPARTMENT OF JUSTICE

Central Services Division

Division Contacts

Administrator	Christi Jacobsen	444-5842	CJacobsen2@mt.gov
Fiscal Bureau Chief	Janet Atchison	444-5712	JAtchison@mt.gov
Human Resource Bureau Chief	Kila Shepherd	444-4229	KiShepherd@mt.gov

Organizational Chart



What the Division Does

The Central Services Division provides the human resource and financial backbone to support the department of Justice's mission, which is "working hard to build a safer and more prosperous future for the people of Montana."

We are the smallest division within the department, with only 19 FTE, and organized into two bureaus: the Fiscal Bureau and the Human Resource Bureau. The Fiscal Bureau provides accounting functions to all divisions in accordance with generally accepted accounting principles and in compliance with state and federal laws and regulations. The Fiscal Bureau provides oversight through established and ongoing internal controls.

In FY2012, our Fiscal Bureau deposited \$238 million dollars in revenue, processed payroll for 754 FTE, administered 69 grants, monitored financial compliance with contracts, and provided budget support for the entire agency. A recent note of accomplishment was stream-lining the payroll process for the highway patrol troopers by abandoning paper timesheets for electronic timesheets.

During the past year the Human Resource Services Bureau has been under new leadership. The bureau has been restructured to help meet the strategic needs of the agency by reclassifying positions and hiring staff. The bureau is facing the challenges of attrition and retirements, aging workforce, and leadership/workforce development. Early in 2012, the Human Resource Bureau established bureau specific mission, vision, core themes and goals/indicators of success. During the rest of the year, Human Resource Bureau has updated all HR related agency policies; developed and implemented a new recruitment & selection process, a standardized performance appraisal process, and a new On-Boarding program. Current initiatives either underway or soon starting include strategic planning (underway), management/leadership development (underway), succession planning/talent reviews, and review and revision of the agency's pay philosophy.

Budget Request – Present Law Adjustments

1. DP 6101 Professional Development Center Fee Allocation - See LFD Analysis p. D-64

The Central Services Division has one decision package, \$17,536 of general fund, to cover a new fixed cost to fund the Professional Development Center within the Department of Administration.

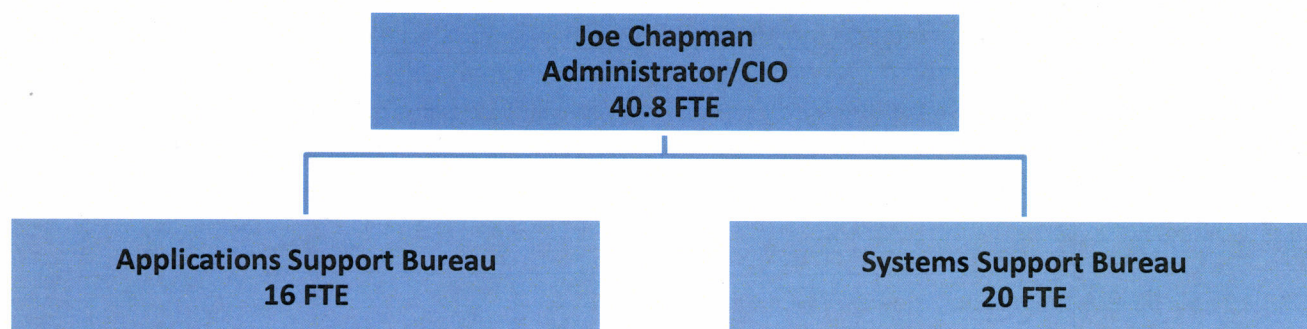
DEPARTMENT OF JUSTICE

Information Technology Services Division

Division Contacts

Administrator	Joe Chapman	444-3708	jchapman@mt.gov
Application Services Bureau Chief	Jack Marks	444-5214	jackm@mt.gov
Support Services Bureau Chief	James Thomas	444-0553	jathomas@mt.gov

Organizational Chart



What the Division Does

The Information Technology Services Division (ITSD), in cooperation with our partners, provides a full range of Information Technology (IT) systems and services to all DOJ divisions to support nearly every DOJ mission and business operation. These IT systems and services involve supporting work such as system planning, project management, development, acquisition, installation, integration, testing, contract management, security, operations, maintenance, and support.

- The division is organized as follows:
 - **The Applications Support Bureau** is responsible for the software (databases, web pages, off the shelf, and custom software development and integration) and all supporting work listed above.
 - **The Systems Support Bureau** is responsible for the hardware. This includes end user devices such as desktops, laptops, tablets, cell and smart phones, scanners, and printers. They are also responsible for the entire IT infrastructure such as servers, storage, networking, heating, venting and air conditioning (HVAC), power, racks, cabling and all supporting work. This bureau is also responsible for the 24x7 Service Desk that supports nearly 4,000 users statewide.
- The division supports the following:
 - 754 DOJ users, 323 County Montana Enhanced Registration and Licensing Information Network (MERLIN) users, and over 3,000 county Criminal Justice Information Network (CJIN) users across the State.
 - The MERLIN system and the Montana Insurance Verification System (MTIVS).
 - CJIN - used by law enforcement statewide to access the National Crime Information Center (NCIC) to query FBI databases, the National Law Enforcement Telecommunications System (NLETS) to query other State's databases and also queries of Montana drivers information, wanted and missing persons and stolen property.
 - SmartCop - used by Montana Highway Patrol for dispatch operations and in-car trooper support.
 - The Integrated Justice Information Sharing (IJIS) Broker which performs information exchanges and translations between Montana systems and with external Federal and other State's systems.
 - Criminal History Record System (CHRS), Sexual and Violent Offender Registry (SVOR), End of Life Registry, Hope Card, Concealed Weapons, Amber Alert, Missing Persons, Scam Alerts and many other systems and services.
 - Hardware, software, infrastructure and interfaces for over 90 systems, 200 servers, 25 databases, and 10 terabytes of data. This is a 260% increase from 2002 with only a JITSD 32% FTE increase.

Highlights

- MERLIN is operating as designed with additional enhancements.
- ITSD led the Request for Proposal (RFP) development and contract award for the \$3+ million Montana Insurance Verification System (MTIVS), which was not protested. MTIVS is nearly implemented.
- DOJ is working with Fish Wildlife and Parks (FWP) and Montana Department of Transportation Motor Carriers enforcement divisions to expand and share the SmartCop system, thereby saving the State money and increasing information sharing and situational awareness for mutual support.
- Received national recognition of the IJIS Broker information exchange supporting Crime Victim Notification (CVN). A national project was completed using Montana's CVN as a model to establish a national exchange standard that can now be used by any state.
- Redesigned DOJ web page and received Conference of Western Attorneys General web award.
- Implemented Montana Computerized Criminal History (CCH) enhancements as part of the National Criminal History Improvement Program (NCHIP) project. Now CCH messages through Criminal Justice Information Network (CJIN) can support sub-paragraph level Montana Code Annotated (MCA) code values.
- Reduced transaction times for large arrest cycle criminal history data to 2-4 seconds from 3-6 minutes.
- Issue - ITSD is not able to fulfill all of the new requirements in a timely manner due to limited resources.

Budget Request - Present Law Adjustments

1. DP 2901 JITSD Base Adjustments - See LFD Analysis p. D-67

JITSD is requesting \$10,000 general fund each fiscal year of the biennium for overtime, on-call, and call-out costs in the division. This is based on a five year average. This ensures appropriate staff is available in a timely manner to restore systems outages during off hours. And because IT staff is in such demand, this is one small incentive to increase staff retention.

Budget Request - Elected Official's Request

1. Security Operations - See appendix p. 27

- In response to Legislative Audit (11DP-08) Sexual or Violent Offender Registry and due to DOJ system support growth, ITSD is requesting 1.0 FTE to perform security operations such as system access controls, change management, managing security patches and planning for and responding to security incidences.
- In addition, \$300,000 biennial one time only (OTO) funding is requested to complete an independent system security assessment of DOJ's top five systems in accordance with National Institute of Standards and Technology (NIST) guidelines.
- This request will support a \$2M security request from DOA/State Information Technology Services Division (SITSD) and the Department of Revenue.

2. Electronic Records Management - See appendix p. 27

- ITSD is requesting 1.0 FTE to improve security and accessibility of electronic records by developing a deliberate department-wide approach to capture, manage, store, preserve, and deliver DOJ records.
- In addition, \$132,000 per biennium is requested for imaging system licenses to address immediate needs as identified by the analyst and the DOJ IT governance board.
- DOJ currently has three imaging implementations in place supporting 5.1 million records at over 1.2TB in size. In addition, every DOJ division has highlighted additional requirements to utilize imaging solutions to support various operations.

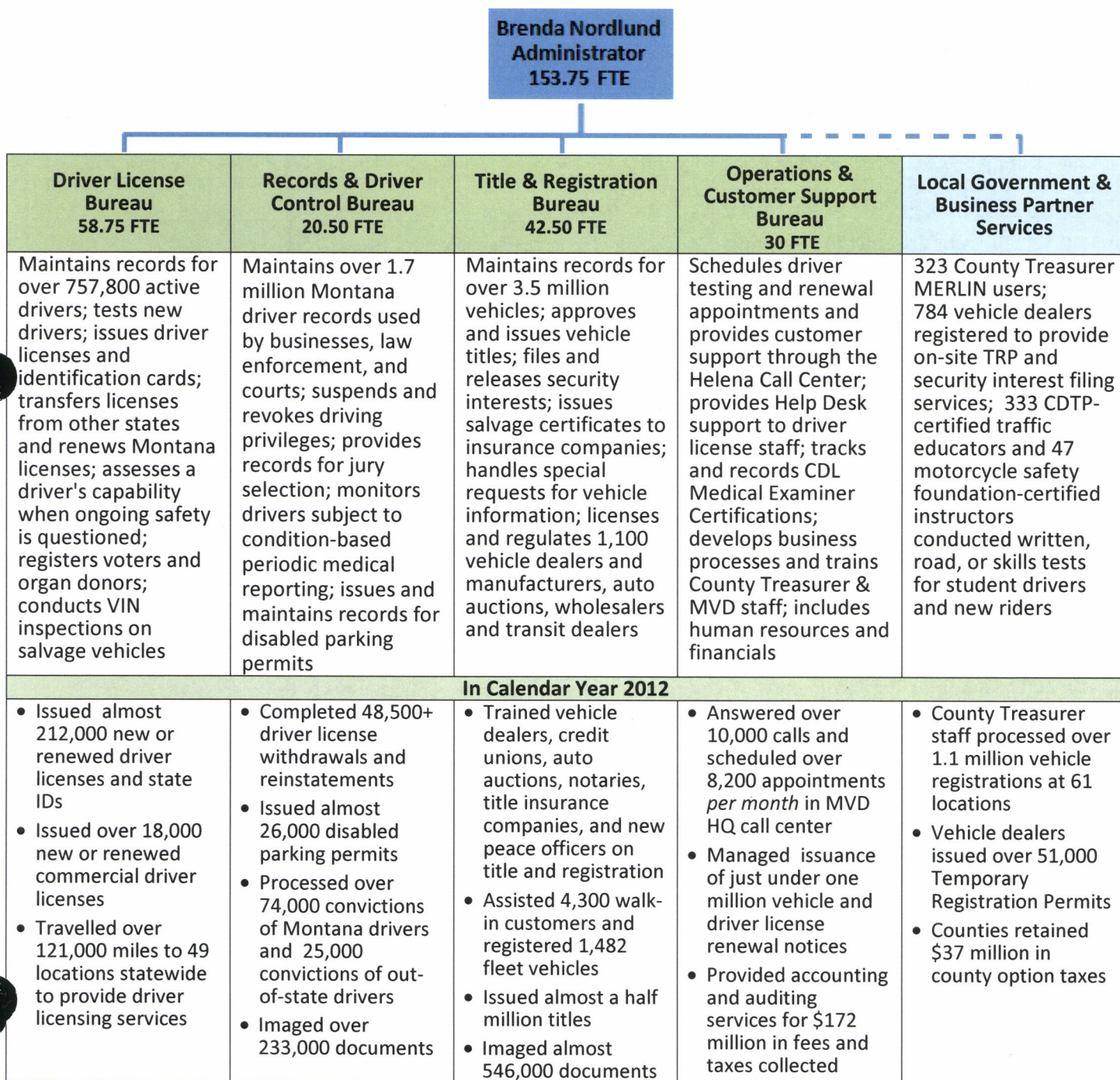
DEPARTMENT OF JUSTICE

Motor Vehicle Division

Division Contacts

Administrator	Brenda Nordlund	444-4548	bnordlund@mt.gov
Driver License Bureau Chief	Kristine Thatcher	444-1778	kthatcher@mt.gov
Records & Driver Control Bureau Chief	Greg Noose	444-1776	gnoose@mt.gov
Title & Registration Bureau Chief	Joann Loehr	444-6550	jloehr@mt.gov
Operations & Customer Support Bureau Chief	Robert Pesta	444-3659	rpesta@mt.gov

Organizational Chart/What the Division Does



Highlights

- The Legislative Audit Division completed a performance audit of the Montana Enhanced Registration and Licensing Information Network (MERLIN).
- The Legislative Fiscal Division conducted interim performance monitoring audits on:
 - the vehicle insurance verification system being implemented by the Division; and
 - the transaction processing levels at the Title and Registration Bureau in Deer Lodge.
- MERLIN works as designed, processes financial and vehicle transactions accurately, and continues to be enhanced. Business, law enforcement, and other governmental entities depend on MERLIN data every day.
- The Montana Insurance Verification System (MTIVS) is available to the county treasurers, law enforcement, and the courts.
- The Division redesigned the vehicle registration renewal notices sent to vehicle owners. The redesign resulted in a 48% increase in online renewals and eliminated customer complaints about notice readability.
- The Division continues to expand online and call center-supported appointment scheduling for driver exam offices. Last year over 144,000 appointments were scheduled for driver licensing services, a 72% increase over 2011. Appointment scheduling is offered in Bozeman, Billings, Columbus, Eureka, Glendive, Great Falls, Hardin, Helena, Kalispell, Miles City, Missoula, Red Lodge, Sidney, Superior and Townsend.
- The Division launched MVD by the Numbers in March 2011. This web page is updated regularly and provides data on the collection and distribution of motor vehicle fees and plate donations, specialty plate sales, state and county registrations by year and vehicle type, and alcohol-related driver license withdrawals.

Budget Requests - Present Law Adjustments

1. **DP 1202 Vendor Contract for Insurance Verification System** – see LFD Analysis p. D-51
The insurance verification system provides 24 x 7 access to county treasurers, law enforcement, and courts to confirm vehicle liability insurance coverage. This request annualizes one half year of contract costs and reflects increases anticipated in service utilization based on preliminary uninsured motorist rates.
2. **DP 1203 License Plate Production and Distribution for Implementation of Rolling Reissue** – see LFD Analysis p. D-51
Montana law requires replacement of license plates every five years. This will be the first biennium where license plates issued prior to 2009 (excluding permanent registrations) must be replaced. Anticipated increase in spending authority is based on an estimated 145,000 sets of plates in FY 2014 and 245,000 in FY 2015.
3. **DP 1204 Mail Renewal Contract, Postage, and Office Leases** – see LFD Analysis p. D-51
Montana law requires renewal or expiration notices to be mailed to customers for vehicle registrations, driver license and medical certification programs. This request supports increased costs associated with those mailings, both to vendor and for postage. Additionally, the request covers annual inflation clauses in leases for 12 driver license offices.
4. **DP 1205 Scheduled Replacement of IT Equipment and Vehicles** – see LFD Analysis p. D-51
This request establishes a five year replacement cycle for 255 computers, 249 printers, 11 servers, and 6 production scanners not currently in the Division base. Additional funding would allow the Division to replace its current fleet of 34 vehicles every 7 years at current costs. Mileage for 22 of the 34 state-owned vehicles exceeds 100,000 miles.
5. **DP 1207 Debt Payments to Board of Investments for MERLIN Loans Authorized in 2001, 2003, and 2007** – see LFD Analysis p. D-52
This authority is requested to fund debt payments associated with the Montana Enhanced Registration and Licensing Information Network (MERLIN).

Budget Requests - New Proposals

1. **DP 1201 Commercial Driver License Modified FTE** – see LFD Analysis p. D-52
In March 2012, the Division was granted 4 modified FTE to support increasing demand for commercial driver licensing services across the state due to expanding energy development. This proposal will maintain the current service level.

2. **DP 1208 Commercial Driver License Medical Certification Support** – see LFD Analysis p. D-52
State law requires the Division to record and track medical examiner certification for commercial drivers. A federal grant was used to implement the program. This request provides funding for continued operation of this program.
3. **DP 1209 National Motor Vehicle Title Information System**— see LFD Analysis p. D-52
State law requires the Division to carry forward brands, such as salvaged or flooded, on out-of-state titles of used vehicles being titled in Montana. This system allows the state to verify the information on the paper titles with the electronic data from the state that issued the title. These checks help prevent the issuance of a fraudulent, inaccurate or incomplete Montana title and protect Montana consumers.

Budget Requests - Elected Official's Requests

1. **Customer Service Support** - see LFD Analysis Appendix p.27
The requested staff will address training and communications recommendations from the 2012 MERLIN Performance Audit. They will also focus on customer service improvements and business opportunities currently identified in state law or included our strategic plan.
2. **MVD Pay Issues** – see LFD Analysis Appendix p. 27
This request addresses recruitment and retention issues within the Division. An analysis of the Motor Vehicle Division shows that 38.8% of the workforce falls below 75% of the market midpoint according to the 2012 market salary survey conducted by the Department of Administration, State Human Resources Division. The jobs most affected by this request are pay band 2 (administrative clerks) and pay bands 3 and 4 (license permit technicians).



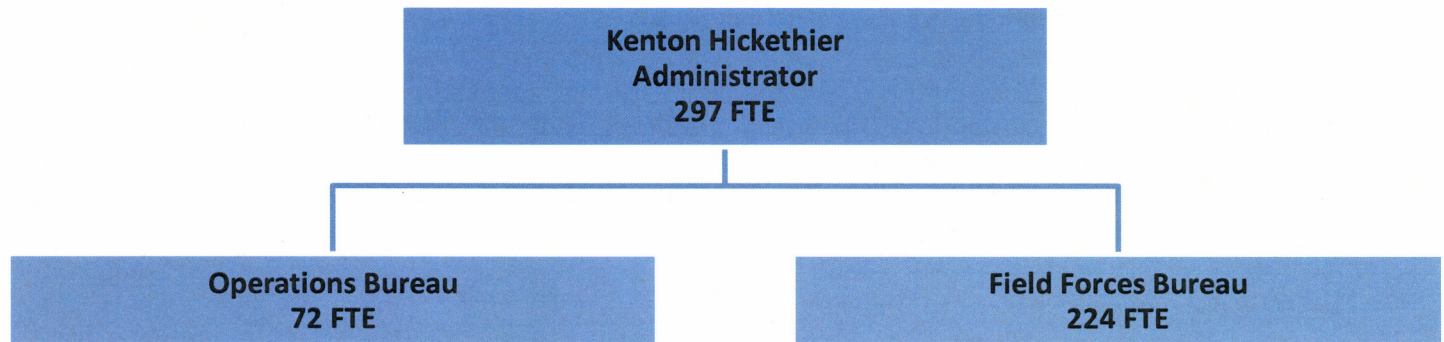
DEPARTMENT OF JUSTICE

Montana Highway Patrol (MHP)

Division Contacts

Chief Administrator	Kenton Hickethier	444-3956	khickethier@mt.gov
Deputy Chief	Greg Watson	444-3956	gwatson@mt.gov
Operations Commander	Tom Butler	444-3558	tobutler@mt.gov
Financial Specialist	Natalia Bowser	444-3281	nbowser@mt.gov

Organizational Chart



What the Division Does

The MHP's mission is to safeguard the lives, rights, and properties of the people using the highway systems of Montana through Education, Service, and enforcement. This is accomplished by the efforts of 235 sworn law enforcement officers and 62 civilian staff (when fully staffed). In a typical year, nearly 160,000 contacts are made with the public through assistance, education, traffic crash investigation, and enforcement.

- **The Operations Bureau** is responsible for budget, information technology, crash records management, aircraft unit, fleet and supply functions, training, personnel and recruiting, and the communication center.
- **The Field Forces Bureau** consists of uniformed troopers and command staff in the eight Highway Patrol districts. The district offices are located in Missoula, Great Falls, Butte, Billings, Glendive, Kalispell, Bozeman, and Havre.

Current and on-going technology projects: The Web Based Crash Report System has been developed and accepted by MHP. Rollout to the other law enforcement agencies in the state began the 3rd quarter of 2012, at no cost to those agencies. Existing hardware is being utilized at the local agency level. The initial rollout started with the largest data contributors and this training will continue through 2013. This application allows all local law enforcement agencies to enter crash data directly into the MHP database through a secure internet portal. It also allows the local agencies to have paperless input, supervisory review and an approval process. The application provides an archival and reporting system for the crashes within their jurisdiction.

MHP is working with Fish, Wildlife and Parks and Montana Department of Transportation Motor Carrier Services Division to implement the SmartCop mobile computer system. This process will allow all three agencies to work simultaneously with the MHP Dispatch Center. This will allow for improved efficiencies and cooperation between the state wide law enforcement agencies.

MHP is currently in the process of a statewide rollout of credit/debit card acceptance roadside for bond monies related to citations.

Interdict Criminal Activity: Criminal activity has increased in the last two years, resulting in the criminal interdiction troopers seizing more illegal drugs, cash and property. MHP interdiction troopers have been detecting and arresting multi-state offenders that have engaged in a wide variety of crimes up to and including attempted deliberate homicide. MHP has identified multi-state drug trafficking organizations and worked cooperatively with local and state law enforcement agencies on these investigations. MHP has also intercepted a large amount of illegal contraband traveling into the Bakken Oil Field Region. Due to the increased activity, our troopers have also been exposed to more frequent dangerous situations.

Significant challenges: MHP is attempting to address the continuing traffic and population increases in Eastern Montana. These issues are directly related to the Bakken oil activity that has placed a strain on the agency's ability to respond to incidents in a timely manner. An elected official's request has been submitted that MHP anticipates will address this issue.

Budget Request - Present Law Adjustments

1. DP 1301 MHP Salary Increase per Survey – See LFD Analysis p. D-55

The agency is requesting state special revenue appropriation for uniform personnel salary increases per the recent salary survey as required by 2-18-303, MCA. The 2005 Legislature enacted HB 35, which created an alternative funding mechanism for pay and retention of uniformed members of MHP. As a part of the funding mechanism, 8 county sheriff's offices (Butte-Silver Bow, Cascade, Yellowstone, Missoula, Lewis and Clark, Gallatin, Flathead and Dawson) are surveyed and the average of these counties creates the starting salary for a probationary trooper. Due to this survey and the statutory requirements, the MHP is excluded from the proposed state pay plan proposal.

2. DP 1302 MHP Base Adjustments – See LFD Analysis p. D-55

MHP is requesting state special revenue appropriation for base adjustments. The adjustment is necessary to allow the MHP to continue to meet its ongoing responsibilities of regular zero based overtime, increased office and tower rent and to restore gasoline fuel costs to FY2012 levels.

Budget Request – Elected Official's Request

1. MHP Bakken – See appendix p. 27

MHP is requesting state special revenue appropriation to hire 6 additional troopers and 1 sergeant. These FTE are critical to supporting commitments the Highway Patrol is obligated to fulfill. These FTE will allow the Highway Patrol to support its mission of highway traffic safety, as well as our continued support for local law enforcement. In 2010, the average response time to calls in District 5 (Eastern MT) was 49 minutes. It increased to 59 minutes in 2011, and to 72 minutes in 2012. In 2009, 2010, and 2011, the Highway Patrol responded to an average of 16,000 incidents. In 2012, the Highway Patrol responded to 22,153 incidents. The astonishing 36% increase in traffic from 2009 to 2012 in Richland County, 31% increase in Dawson County, 26% increase in Custer County, 16% increase in Sheridan County, and 16% in Roosevelt County has dramatically affected our ability to meet our mission needs. The requested 7 additional FTE will be strategically stationed in eastern MT in areas most affected by the oil industry. Station placement will also be determined by the availability of housing within the Bakken area.

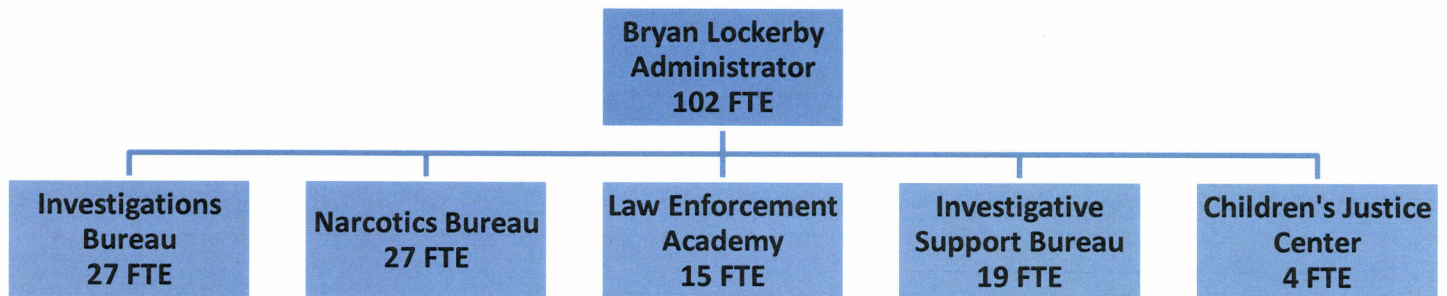
DEPARTMENT OF JUSTICE

Division of Criminal Investigation

Division Contacts

Administrator	Bryan Lockerby	444-2967	blockerby@mt.gov
Investigations Bureau Chief	John Strandell	444-2053	jstrandell@mt.gov
Narcotics Bureau Chief	Mark Long	444-0271	mklong@mt.gov
MLEA Bureau Chief	Kevin Olson	444-9957	kevolson@mt.gov
Investigative Support Bureau Chief	Joe Wodnik	444-9759	jowodnik@mt.gov
Children's Justice Center Director	Dana Toole	444-1525	dtoole@mt.gov

Organizational Chart



What the Division Does

The Division of Criminal Investigation (DCI) provides administration, management, and coordination of criminal investigative services and training, and includes the Investigations Bureau, the Narcotics Bureau, the Law Enforcement Academy Bureau, the Investigative Support Bureau, and the Children's Justice Center. The majority of investigative services are provided at no cost to local law enforcement.

- The Investigations Bureau consists of four sections:
 - The Fire Prevention and Investigation Section are responsible for safeguarding life and property from fire, explosion, and arson through investigation, inspection, fire code interpretation and enforcement functions.
 - The Special Investigations Section investigates crimes involving computers, Sexual Predators/ Crimes against Children, Sex and Violent Offender Compliance, and State Fund Work Comp Fraud.
 - The Major Case Section provides criminal investigative assistance to city, county, state, and federal law enforcement agencies.
 - The Medicaid Fraud Control Section is responsible for investigating any crime that occurs in a health care facility, including theft, drug diversion, sexual assault, and homicide. The section also investigates elder exploitation, elder abuse, and fraud by providers within the Medicaid system.
- The Narcotics Bureau investigates dangerous drug violations and provides investigative assistance to city, county, state, and federal law enforcement agencies as requested. The bureau also investigates organized criminal activity.
- The Investigative Support Bureau provides operational support to the state Criminal Justice Information Network (CJIN); serves as the state link to the FBI's National Crime Information Center and the National Law Enforcement Telecommunications System; collects, stores and disseminates criminal records and fingerprint information (CRIS); operates the Montana All Threat Intelligence Center (MATIC); and addresses homeland security issues.
- The Montana Law Enforcement Academy (MLEA) provides education and training to public safety officers throughout Montana. This is accomplished through the offering of what is referred to as Basic Courses. Officers are required by law to attend these Basic Courses within the first year of employment. These Basic Courses are provided to State, County, City, and Tribal law enforcement and criminal justice agencies. The academy also provides continued education and training opportunities to public safety officers through the delivery of Professional

Programs. Examples of some of these programs include courses in leadership and management, mental illness response, crime scene management, domestic violence and child abuse. In 2011, over 900 officers attended courses from the academy.

- The Children's Justice Center consists of three sections:
 - The Montana Child Sexual Abuse Response Teams Program promotes successful prosecution of child abuse perpetrators and high quality investigative response to child victims by providing coordinated community response, forensic interview training, and state of the art equipment to respond to reports of crimes against children in Montana.
 - The Drug Endangered Children Program educates and equips Montana professionals who respond to children endangered by caregiver drug use. The program also provides statewide community outreach and education about how to identify a drug endangered child and connect that child with trained responders.
 - The Sexual and Violent Offender Registry protects the public from sexual and violent offenders by requiring offenders to register with local law enforcement agencies in the jurisdiction where they reside. Information about these offenders is then made available to the public through the statewide registry website which is based in the Division of Criminal Investigation.

Highlights

- In 2012 the Investigations Bureau of DCI was requested to investigate 5 separate homicide cases throughout Montana. The Investigations Bureau was supported by the Investigations Support Bureau within DCI. The Homicides occurred in Sanders, Teton, Roosevelt, and Dawson counties and the City of Anaconda. Agents directed the investigations and worked with local law enforcement. Arrests have been made on all cases except for Anaconda and Dawson Counties. Defendants are pending trial. All cases had extensive crime scene investigation and interviews conducted by agents.
- The Investigations Bureau was also requested to investigate separate cases of Sexual Abuse of Children in Liberty and Powder River Counties in which 13 children were sexually abused by a family member over a lengthy period of time. Agents assigned to these cases were directly supported by the Investigations Support Bureau and the Children's Justice Center with Forensic Interviewers. The defendant in the Liberty County case was found guilty of four counts of Sexual Abuse of Children and will be sentenced at a later date. Charges are pending against an adult male in Powder River County. DCI services were provided in all cases noted, at no cost to local law enforcement.
- In 2012, the Missoula college accredited the Law Enforcement Officer Basic Course at the academy by awarding graduates 18 credits towards continuing higher education opportunities.

Budget Request – Present Law Adjustments

1. **DP 1804 DCI Child Sexual Predator and Drug Diversion** - See LFD Analysis p. D-59
The Division of Criminal Investigation (DCI) is requesting operating authority for four investigators; one Child Sexual Predator investigator and three for the Drug Diversion program. The positions were grant funded originally. In the 2011 Legislature, the Division was granted the FTE and operating authority for FY2013, therefore the expenditures were not in FY12 base. The division concurs with the LFD issue, as a result the revised request is \$53,128 per year to cover operating expenses that weren't captured in the base. The request also includes the overtime for the entire division which is \$30,000 each year.
2. **DP 1806 DCI Base Adjustments** - See LFD Analysis p. D-59
Division of Criminal Investigation (DCI) is requesting general fund authority to fund increases in eight existing rent lease contracts.
3. **DP 1808 MLEA Trainer** - See LFD Analysis p. D-59
The Montana Law Enforcement Academy is requesting an FTE for a trainer. The 2011 Legislature moved the appropriation from Department of Corrections to the Department of Justice without authorizing the move of the associated FTE. The trainer position is filled, and is a modified position.

Budget Requests – New Proposals

1. DP 1801 DCI SVOR Compliance Investigators - See LFD Analysis p. D-59

The Division of Criminal Investigation is requesting two SVOR Compliance Investigators. The positions are needed to investigate non-compliant sexual and violent offenders located throughout the state and are in response to a 2011 legislative audit. The number of sexual and violent offenders continues to grow in Montana. The investigators work with local law enforcement and corrections to ensure that offenders are compliant with all the requirements of MCA, Title 46, (Criminal Procedure). It is the Division of Criminal Investigation's goal to make these positions permanent because of the impact the investigators have made on compliance.

2. DP 1807 DCI MLEA Maintenance - See LFD Analysis p. D-60

The Division of Criminal Investigation is requesting a funding switch from the Montana Law Enforcement Academy (MLEA) state special fund to the general fund for maintenance and utility costs. This request is for approximately 25% of the operating expenditures for the academy.

Budget Requests - Elected Official's Request

1. DCI Bakken Investigators - See appendix p. 27

In response to the number of cases that have increased, as a result of the influx of oil and gas exploration and development in the Bakken area, the Division of Criminal Investigation is requesting 3 FTE. Narcotics investigators work in tandem to ensure safety while engaged in covert operations. A general case investigator will be used to assist local law enforcement after a crime is committed and the area is secure. Response time, investigative actions, and case resolution will improve the necessary public safety response to the growing issues affecting the region.

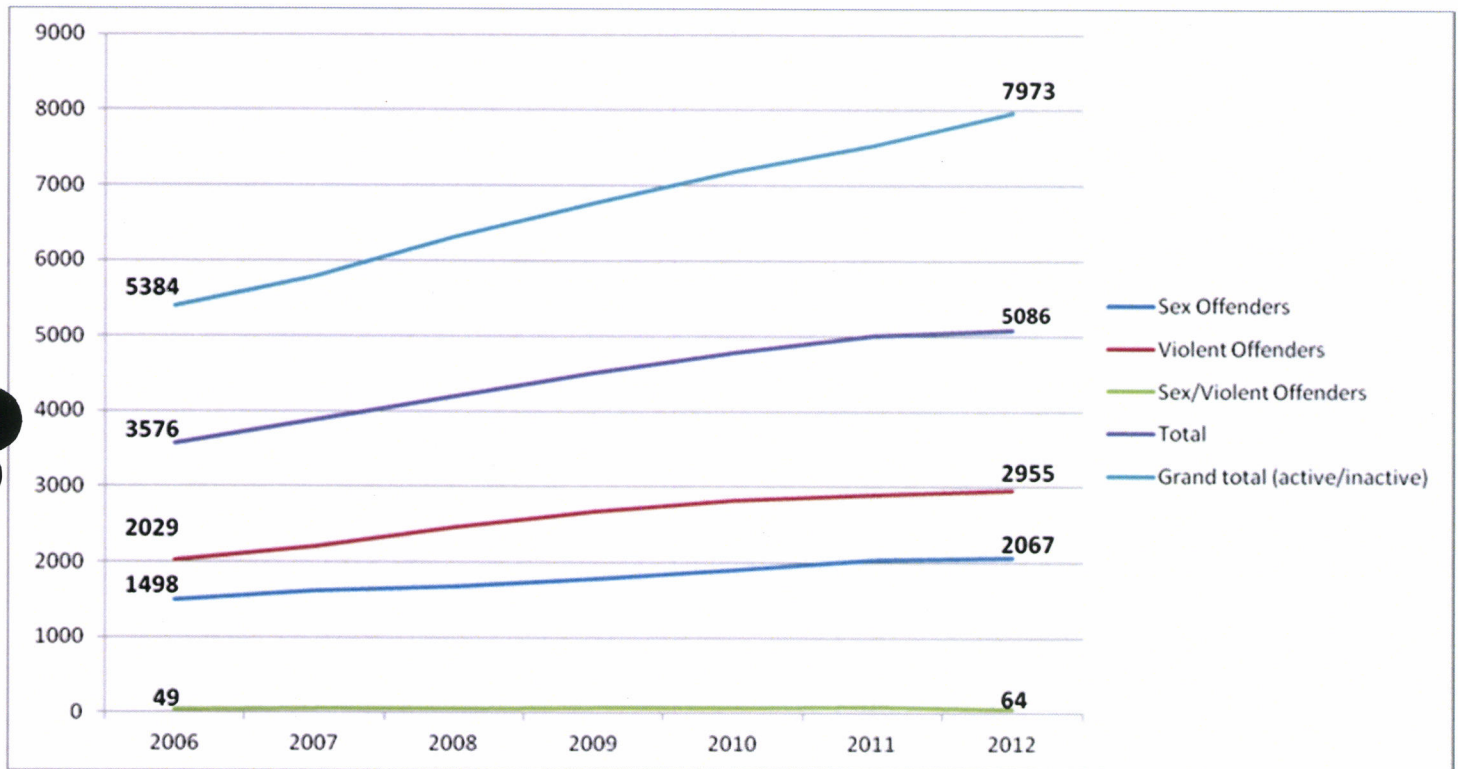
Montana Division of Criminal Investigation

Statistical analysis of sexual & violent offenders in Montana

Current statistics from June 2006 to present. The numbers reflect active and inactive offender totals:

	June 2006	Present	% increase
Sex	2367	3605	52.3
Violent	2921	4395	50.4
Sex/Violent	96	176	83.3
Total	5384	8176	51.9

Below is a chart that reflects the trend from June 2006 to June 2012. Note that the grand total looks at both inactive and active offenders, and the rest looks specifically at active offenders only.



Additional comments:

1/2012 there were 7727 inactive and active sexual and violent offenders.

1/2013 there were 8160 inactive and active sexual and violent offenders.

This is a 6% increase.

For 2012 we are currently averaging 80 new sexual and violent offenders a month which will likely increase the current trends (above) if projected into future years.



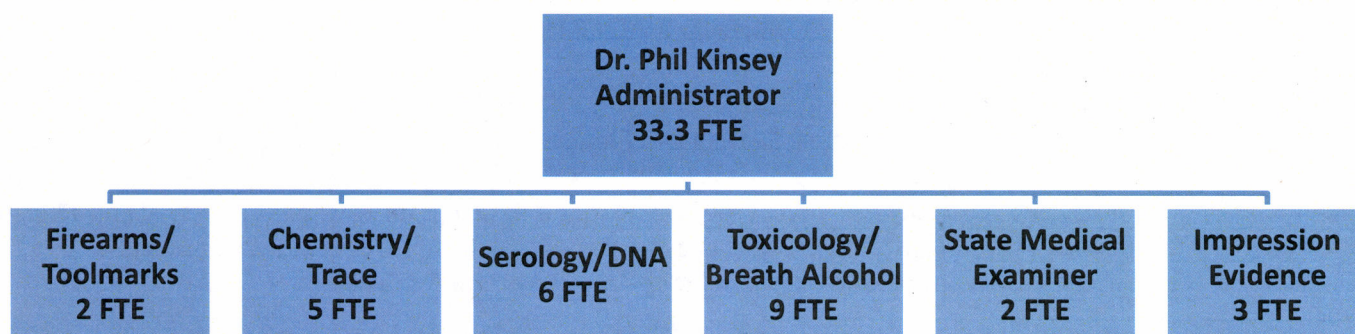
DEPARTMENT OF JUSTICE

Forensic Science Division

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Organizational Chart



What the Division Does

The Montana state forensic laboratory, located in Missoula, is an accredited laboratory that analyzes evidence associated with crimes and crime scenes in service of the statewide criminal justice community.

The laboratory is organized into six sections that process evidence according to the type of analysis needed. The lab is staffed by 25 scientists and technicians who, with help from the administrative staff, provide this critical service for the state. The State Medical Examiner's office is also housed in the forensic laboratory.

- Firearms and Toolmarks scientists examine weapons and ammunition as well as tools and tool marks from crime scene evidence. They can determine whether a bullet was fired from a particular gun, whether a particular tool was used to gain entry to a crime scene by prying open a door or cutting a lock. And within a certain range, they can estimate the distance between a gunshot victim and the gun.
- Serology and DNA scientists identify biological materials and develop DNA profiles from crime scene evidence to try and link individuals to that evidence. The lab participates in the national DNA database program by entering DNA profiles from evidence with no known suspect and of convicted offenders of felonies for nationwide searching.
- Forensic Toxicology scientists analyze biological samples for the presence of drugs, poisons and other toxins. They also check for the presence of drug abuse by people on parole or probation. Breath Alcohol scientists maintain and certify breath-testing instruments used to detect the presence of alcohol in DUI cases. They also train officers in proper use of the equipment.
- Impression Evidence scientists identify, preserve and compare skin impressions such as fingerprints and palm prints as well as other impression evidence such as footwear and tire track impressions. The lab also participates in Automated Fingerprint Identification System (AFIS), a fingerprint database which has also helped solve numerous crimes.

- Forensic Chemistry scientists analyze samples seized in cases involving dangerous drugs and clandestine labs. Trace Evidence scientists examine, identify and compare the smallest samples of evidence, hairs, fibers, glass, paint and gunshot residue to make connections between people or between people and crime scenes.
- Medical Examiners work with County Coroners and others to determine the cause and manner of death. They also help identify bodies, document injuries and detect the presence of disease.

Highlights

- The laboratory staff includes supervisors and scientists who have been selected to participate on national forensic science committees.
- The laboratory has been accredited since 2005 and in 2011 the laboratory achieved an even more stringent level of accreditation, to international standards (ISO) for testing and calibration laboratories.

Budget Request - Present Law Adjustments

1. DP 3201 FSD Base Adjustments – See LFD Analysis p. D-70

The Forensic Science Division (FSD) is requesting \$5,000 to annualize the maintenance contract for the heating, ventilation and air conditioning (HVAC) re-engineering project that was completed in 2011. This contract was implemented part way through the base year at the completion of the project.

2. DP 3202 FSD Equipment – Bien – See LFD Analysis p. D-70

The Forensic Science Division (FSD) is requesting \$210,000 of biennial general fund appropriation for the purchase of new or replacement scientific equipment. We will be replacing aging gas chromatograph/mass spectrometers (GC/MS) in the Chemistry and Toxicology Sections. The two instruments slated for replacement are 10 and 11 years old, much greater than the standard 5 to 7 year lifespan of such equipment. These purchases will alleviate significant concerns about case work production should these aging instruments fail.

Budget Request - Elected Official's Request

1. FSD Forensic Testing – See appendix p. 27

This budget request is in response to the needs of our customers (law enforcement and the legal justice communities) for 2.0 FTE that will address increasing case submissions as was noted in the LFD budget analysis. The laboratory has seen increases in both the submission of cases (25% more in 2012 than 2011) and in the complexity of those cases.

- One FTE will be assigned to the Chemistry Section to address increased casework associated with new synthetic drug testing. The average turn-around time for chemistry cases went from 2.5 months at the end of 2011 to 4 months at the end of 2012. HB 140 is before the current Legislature and its intent is to designate broad classes of compounds as controlled substances which will help address the complexity of this casework.
- One FTE will be assigned to the Toxicology Section to address increases in blood-alcohol testing. Positive outcomes with blood-alcohol test results by County Attorneys have led to increases in the numbers of these cases. Additionally, we have seen increases in blood-alcohol testing related to SB 42 from the 2011 legislature which authorized warrants to obtain blood tests in DUI cases. In 2011 the department noted that the change in law would increase the number of samples but could not quantify the effect on the backlog. Turn-around times for blood-alcohol tests have gone from less than 4 weeks in 2011 to greater than 6 weeks in 2012.